

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: September 21, 2005

Division: County Attorney

Bulk Item: Yes XX No       

Staff Contact Person: Pedro Mercado

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**AGENDA ITEM WORDING:**

Authorization to institute collection proceedings and/or enter settlement negotiations with South Florida Council, Inc., Boy Scouts of America in code enforcement Case No. M8-02-278.

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**ITEM BACKGROUND:**

The Boy Scouts of America (BSA) on West Summerland Key was cited for building a dock without benefit of a permit in May of 2002. The Special Magistrate found the BSA in violation on September 5, 2002. Due to the nature of the violation, the BSA was required to go through the Florida Department of Environmental Protection (FDEP) to obtain after-the-fact permitting. The Special Magistrate continued the compliance date on numerous occasions in order to give the BSA an opportunity to come into compliance. On June 12, 2003, the Special Magistrate imposed a fine of \$500 per day beginning on April 18, 2003. On July 1, 2003 the BSA and the FDEP entered into a consent agreement; however, the BSA took no action to address the code enforcement case. The violation was brought into compliance by Hurricane Dennis on July 9, 2005 when the dock was demolished by Hurricane Dennis. At the time the dock was demolished the accrued fines totaled \$408,000.00.

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**PREVIOUS RELEVANT BOCC ACTION:**

None.

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**CONTRACT/AGREEMENT CHANGES:**

N/A.

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**STAFF RECOMMENDATIONS:**

Approval.

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**TOTAL COST:**                     

**BUDGETED:** Yes        No       

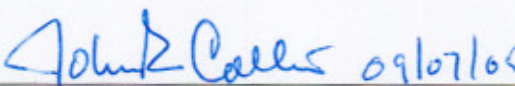
**COST TO COUNTY:**                     

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes        No        **AMOUNT PER MONTH**        **Year**       

**APPROVED BY:** County Atty        OMB/Purchasing        Risk Management       

**DIVISION DIRECTOR APPROVAL:**

 09/07/05

**JOHN R. COLLINS, COUNTY ATTORNEY**

**DOCUMENTATION:** Included       

Not Required XX

**DISPOSITION:**                                     

**AGENDA ITEM #**